

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PECK, JR.,

Defendant.

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8:20CR227

ORDER

This matter is before the court on the Unopposed Motion to Continue Trial [130]. Counsel for the plaintiff requests a continuance as there has been a recent exposure to Covid-19 and possible Covid-19 related illness experienced by a member of plaintiff's trial team. Counsel for the defendant does not object to a short continuance. For that reason, the court finds that good cause has been shown.

IT IS ORDERED that the Unopposed Motion to Continue Trial [130] is granted, as follows:

1. The jury trial now set for October 2, 2022 is continued to **October 30, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 30, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice; or would unreasonably deny the government continuity of counsel, or would deny the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(i), (iv).

DATED: September 28, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge